

FORM-PTO-1390  
(Rev. 12-29-99)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

003300-723

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.6)

09/743,107

INTERNATIONAL APPLICATION NO.  
PCT/SE99/01230INTERNATIONAL FILING DATE  
06 July 1999PRIORITY DATE CLAIMED  
06 July 1998

## TITLE OF INVENTION

PEPTIDES BASED ON THE SEQUENCE OF HUMAN LACTOFERRIN AND THEIR USE

## APPLICANT(S) FOR DO/EO/US

Lars A. HANSON; Lars BALTZER; Inger MATTSBY-BALTZER; and Gunnar T. DOLPHIN

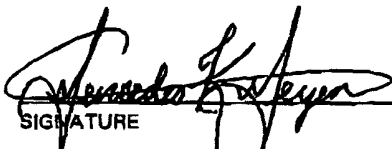
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Copy of Notification of a Defective Response; Copy of Notification of a Defective Oath or Declaration

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.80) <b>09/743,107</b>		INTERNATIONAL APPLICATION NO. <b>PCT/SE99/01230</b>		ATTORNEY'S DOCKET NUMBER <b>003300-723</b>		
17. <input type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,000.00 (960)  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00 (970)  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00 (958)  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00 (956)  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 (962)  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$</div>				<b>CALCULATIONS</b>		<small>PTO USE ONLY</small>
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$		
Claims	Number Filed	Number Extra	Rate			
Total Claims	-20 =		X\$18.00 (966)	\$		
Independent Claims	-3 =		X\$80.00 (964)	\$		
Multiple dependent claim(s) (if applicable)			+ \$270.00 (968)	\$		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$		
Reduction for 1/2 for filing by small entity, if applicable (see below).				\$		
<b>SUBTOTAL =</b>				\$		
Processing fee of \$130.00 (156) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$		
<b>TOTAL NATIONAL FEE =</b>				\$		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +				\$		
<b>TOTAL FEES ENCLOSED =</b>				\$		
				<b>Amount to be:</b>		
				<b>refunded</b>	\$	
				<b>charged</b>	\$	
a. <input type="checkbox"/> Small entity status is hereby claimed. b. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. c. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed.  <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>  SEND ALL CORRESPONDENCE TO:  Benton S. Duffett, Jr. BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620						
 SIGNATURE						
Mercedes K. Meyer NAME						
44,939 REGISTRATION NUMBER						

**BURNS DOANE**BURNS DOANE SWECKER & MATHIS LLP  
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TELEPHONE: +1.703.836.6620

FACSIMILE: +1.703.836.2021 (Group 3)  
+1.703.836.0028 (Group 4)

DATE: August 21, 2001

RECIPIENT INFORMATION	SENDER INFORMATION
To: <b>Barbara A. Campbell</b>	From: <b>Mercedes K. Meyer</b>
Voice Tel. No.: <b>703-305-3631</b>	Voice Tel. No.: <b>703-838-6561</b>
Fax Tel. No.: <b>703-305-3230</b>	Sent By: <b>Elizabeth K. Stenson</b>
Your Ref.: <b>09/743,107</b>	Our Ref.: <b>003300-723</b>
	Total Pages (Incl. Cover Page): <b>9</b>

RE: U.S. Patent Application No. 09/743,107

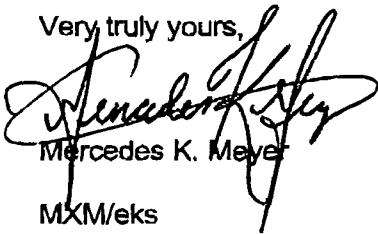
## MESSAGE:

Dear Ms. Campbell,

Further to our telephone conversation earlier today, attached please find the executed Declaration/Power of Attorney (3 pages) for the above-identified matter. We look forward to receiving the attachment for the Sequence Listing and notice that the time period for response has been reset.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Mercedes K. Meyer

MXM/eks

**NOTE:** The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the person(s) named above and others expressly authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is prohibited and you are asked to notify us immediately by telephone and to return this message to us by mail without copying it.

Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

(BDSM 06/01)

Transmittal Letter to the United States  
Designated/Elected Office (DO/EO/US)  
Concerning a Filing under 35 U.S.C. 371  
International Application No.: PCT/SE99/01230  
U.S. Application No.: 09/743,107  
Attorney's Docket No.: 003300-723

I hereby certify that this correspondence is  
being sent by Facsimile Transmission to  
Assistant Commissioner of Patents and Trademarks,  
Washington, D.C. 20231 on

Date: August 21, 2001

Name: Elizabeth K. Stenson  
(Typed or printed name of person signing the certificate)

Sign: Elizabeth K. Stenson  
(Signature of person signing the certificate)

Date: August 21, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/743107	HANSON	L 003300-723
INTERNATIONAL APPLICATION NO.		
PCT/SE99/01230		
I.A. FILING DATE	PRIORITY DATE	
06 JUL 99	06 JUL 98	

BENTON JR S DUFFETT  
BURNS DOANE SWECKER & MATHIS  
PO BOX 1404  
ALEXANDRIA, VA 22313 1404

DATE MAILED: 13 AUG 2001

## NOTIFICATION OF A DEFECTIVE RESPONSE

- ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
- ☐ Applicant's response filed \_\_\_\_\_ was received in the Office after the expiration of the period for response set in the Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
- ☒ Applicant's response filed June 05, 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed April 08, 2001 have not been completed.

- ☐ Translation of the international application into English.
  - ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)).
- ☒ Oath or Declaration of inventors(s).
  - ☒ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)).
- ☒ Sequence Listing.
  - ☒ not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
- ☐ Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☒ PCT/DO/EO/920

URGENT

Barbara A. Campbell

Telephone: 703-305-3631

FORM PCT/DO/EO/916 (March 2001)

BURNS, DOANE, SWECKER &amp; MATHIS, L.L.P. RECEIVED

AUG 15 2001

8-15-01

DOCKETED

Amputent  
003300-723  
B50/Mxm

Remove 9/13/01  
Can be extend from Original missing A.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/743107	HANSON	L 003300-723
INTERNATIONAL APPLICATION NO.		
PCT/SE99/01230		
I.A. FILING DATE	PRIORITY DATE	
06 JUL 99	06 JUL 98	
DATE MAILED: 13 AUG 2001		

BENTON S DUFFETT  
BURNS DOANE SWECKER & MATHIS  
PO BOX 1404  
ALEXANDRIA, VA 22313 1404

## NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a), (b) and (f) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the application to which it is directed.
3. ☒ does not identify the inventor(s). (executed page three is missing)
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☒ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☐ does not state that the person making the oath or declaration:
  - a. ☐ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☐ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

Barbara A. Campbell

Telephone: 703-305-3631

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	5283	
CONNECTION TEL		7038362021
SUBADDRESS		
CONNECTION ID		
ST. TIME	08/21 11:00	
USAGE T	02'52	
PGS.	9	
RESULT	OK	